

## OPINION 1072

REFUSAL OF REQUEST TO SUPPRESS *HYLA CRUCIALIS* HARLAN,  
1826 (AMPHIBIA)

RULING.- (1) The request for the use of the plenary powers to suppress the specific name *crucialis* Harlan, 1826, as published in the binomen *Hyla crucialis*, for the purposes of the Law of Priority but not for those of the Law of Homonymy, is refused.

(2) The specific name *crucialis* Harlan, 1826, as published in the binomen *Hyla crucialis*, is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2592.

## HISTORY OF THE CASE Z.N.(S.) 1982

An application for the suppression of *Hyla crucialis* Harlan, 1826, was first received from Dr Linda Trueb (*University of Kansas*) on 13 September 1971. It was sent to the printer on 23 September 1971 and published on 1 May 1972 in *Bull. zool. Nomencl.* vol. 29: 39-40. Public notice of the possible use of the plenary powers in this case was given in the same part of the *Bulletin* as well as to the prescribed serials (Constitution Art. 12b; *Bull.* 31: 97) and to one herpetological serial. The application was opposed by Dr R.I. Crombie (*National Zoological Park, Washington D.C.*) (*Bull.* vol. 30: 4-6) and supported by Dr M.J. Tyler (*South Australian Museum, Adelaide*), Dr Hobart Smith (*University of Colorado*) and Dr A.M. Grandison (*British Museum, Natural History*).

## DECISION OF THE COMMISSION

On 10 February 1976 the members of the Commission were invited to vote under the Three Month Rule on Voting Paper (76)8 for or against the proposal set out in *Bull. zool. Nomencl.* vol. 29: 40. At the close of the Voting Period on 10 May 1976, the state of the voting was as follows:

Affirmative Votes - seven (7) received in the following order: Melville, Mayr, Lemche, Eisenmann, Tortonese, Corliss, Rohdendorf

Negative Votes - eleven (11) received in the following order: Holthuis, Vokes, Sabrosky, Willink, Mroczkowski, Heppell, Bernardi, Nye, Dupuis, Bayer, Ride

Late Affirmative Vote: Brinck

Late Negative Votes: Habe, Kraus

Late Conditional Vote: Alvarado

Leave of Absence: Binder

Voting Papers not returned: Erben, Simpson, Starobogatov.

The following comments were sent in by members of the Commission with their Voting Papers:

Mayr: I found Crombie's comments utterly unconvincing.

Eisenmann: Dr Trueb's proposal seems to fall clearly within the recently amended provisions of Article 79b. There are no requirements (contrary to the assumption of Dr. Crombie) that well known species be involved or that usage is to be determined only by papers that add new data. Faunal check-lists compiling distributional information already published are among the most authoritative works for nomenclature.

Vokes: I must agree with Crombie's last paragraph. Priority must remain when little-used, non-significant names are involved.

Sabrosky: Crombie's remarks are to be commended. The species is not common, important, widely distributed, or either zoologically or economically significant. Further, I am unimpressed by the failure of so many eminent authors to recognize the obvious.

Willink: I agree with Dr. Crombie's comments.

Corliss: Despite Crombie's thought-provoking objection, I believe that the reasons for the obscurity of any senior synonym are beside the point in application of the benignly useful "statute of limitation".

Bernardi: Je suis totalement d'accord avec le point de vue exposé par Crombie.

Dupuis: L'opposition de Crombie repose sur des considérations générales d'une portée très réelle.

Alvarado: I prefer to vote with a majority of the Commissioners, because I found in Dr. Crombie's comment very important questions implying more than the factual case.

Kraus: Together with Crombie I feel that the names in question are too unimportant for the procedure requested by the applicant.

#### ORIGINAL REFERENCE

The following is the original reference for a name placed on an Official List by the Ruling given in the present Opinion: *crucialis*, *Hyla*, Harlan, 1826 *Amer. J. Sci. Arts*, vol. 10 (7): 64.

#### CERTIFICATE

I certify that the votes cast on Voting Paper (76)8 were cast as set out above, that the proposal for the use of the plenary powers contained in that Voting Paper has been refused, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1072.

R.V. MELVILLE  
Secretary  
International Commission on Zoological Nomenclature  
London  
27 July 1976